



**US Army Corps
of Engineers**

Omaha District

SPECIAL PUBLIC NOTICE

Issue Date: 15 December 2003

Expiration Date: 15 January 2004

30 DAY

PUBLIC NOTICE

Regulatory Branch

12565 W Center Road

Omaha, Nebraska 68144-3869

PUBLIC NOTICE FOR THE OMAHA DISTRICT'S GUIDANCE FOR WETLAND AND STREAM MITIGATION AND MITIGATION BANKING.

The purpose of the above-mentioned document is to better assist the Omaha District regulatory staff, applicants or potential banks sponsors, and other interested parties in the mitigation and banking process to reach the goals of Section 404 of the Clean Water Act. Included are the guidelines for establishing mitigation and for establishing, owning and operating mitigation banks. This document further sets out the guidelines for authorizing applicants (e.g., individuals, corporations, units of government) to withdraw credits from a mitigation bank to offset unavoidable wetland impacts that would result from the applicant's proposed activity. Also included are some attachments that serve as a template or examples to further assist in the development of a mitigation bank.

The Mitigation Banking program was established to provide options for lessening the cost and regulatory burden of replacing wetlands or mitigating impacts when it is required under regulatory programs. Banking also lessens the Corps field office personnel's workload by reducing the number of compliance inspections (mitigation aggregated into large complexes that can be evaluated). Some other advantages of mitigation banking include implementing compensation prior to impacts occurring that will reduce temporal losses of the aquatic habitat functions; reducing the regulatory processing time; bringing together proper expertise and financial resources; aiding in the integrity of the aquatic system by allowing larger complexes; and contributing to the President's goal of no-net-loss of the Nation's wetlands.

A 30-day comment period is provided in which written comments may be submitted to the Corps. The document in its entirety is located at the Internet address: <http://www.nwo.usace.army.mil/html/op-r/mitbnk.htm>

Submit your comments either by email to karen.l.lawrence@usace.army.mil or by mail at US Army Corps of Engineers, Omaha District, Regulatory Branch, ATTN: K. Lawrence, 12565 West Center Road, Omaha, Nebraska 68144.

For further information or to obtain a copy of the document you may contact Karen Lawrence at the above addresses.